

TITLE V PERMIT COMMENT ADDENDUM

Engineer: René Toledo
Company Name: NEO Yolo LLC
Permit Number: F-01348-2
Date: February 28, 2012

I. Purpose:

The purpose of this addendum is to address written comments received during the public notice and regulatory review periods of proposed Title V permit renewal F-01348-2.

II. Public & Source Comments:

The public notice for the Title V permit renewal was published on December 21, 2011, in the Daily Democrat newspaper (see attached proof). The 30-day noticing period ended on January 20, 2012. On December 28, 2011, the District received written comments NEO Yolo LLC on behalf of Mr. Anthony Falbo, Fortistar Methane Group LLC (the current operator of the landfill gas collection and control system - see attached letter). His comments and the corresponding District responses are summarized below.

Comment 1: NEO Yolo requests the amendment of Title V permit Condition II.C.8 to include additional provisions outlining the operation of the landfill gas collection and control system (GCCS) serving the Yolo County Central Landfill. NEO Yolo requests that the condition be amended to apply only to the *“active”* portions of the landfill gas collection system, and that the condition be expanded to allow the system be operated using *“the best management practices.”* NEO Yolo believes that the amendment is necessary since they also state that YCCL has suggested to them that the condition requires that the collection and control system be operated to *“exert maximum vacuum on active wells to prevent to prevent surface emissions.”* NEO Yolo requests that amended Condition II.C.8 read (with amendments underlined):

“To the extent practical within the parameters of industry accepted best management practices, the Permit Holder shall operate the active landfill gas collection system in a manner which maximizes the amount of gas extracted from the landfill, while preventing overdraw that can cause a fire or the damage of the gas collection system.”

Response 1: The District will not amend Title V permit Condition II.C.8 to include the proposed language since the proposed language does not reflect any new, revised or additional applicable federal requirements. This type of change would require a modification of the affected permits. However, the District does not believe that the proposed language would be approvable due to its generality.

Comment 2: NEO Yolo states that they do not operate the landfill and are not responsible for maintaining the landfill's surface cover. As such, they reason that an exceedance in the permitted total organic compound (TOC) surface emission limit that is due to insufficient landfill surface cover, or a deficiency surface maintenance, cannot be automatically attributed to a deficiency in the landfill gas collection and control system. NEO Yolo suggests that Condition II.C.8 be amended to read (with amendments underlined):

"Except for active disposal areas, or areas undergoing maintenance or repair, or areas not served by the gas collection system, the Permit Holder shall operate the gas collection system in such a manner that the surface emissions testing of the landfill demonstrates the concentrations of total organic compounds (measured as methane) do not exceed 500 ppmv at any point on the surface of the solid waste disposal site or along the gas transfer path of the gas collection system. Excess surface emissions which are detected while the GCCS is being operated in accordance with industry accepted best management practices and are found to be the result of inefficient landfill operation shall not be the responsibility of the Permittee."

Response 2: The District will not amend Title V permit Condition II.C.9 to include the proposed language since the proposed language does not reflect any new, revised or additional applicable federal requirements. This type of change would require a modification of the affected permits. However, the District does not believe that the proposed language would be approvable due to its generality.

III. U.S Environmental Protection Agency (U.S. EPA) Comments:

The U.S. EPA's 45-day review period began on December 19, 2011 - when the District emailed Region IX the documents associated with proposed Title V permit renewal. The review period ended on January 30, 2012 with no written comments from U.S. EPA.

III. California Air Resource Board (CARB) Comments:

The CARB's 45-day review period began on December 19, 2011 - when the District emailed CARB the documents associated with proposed Title V permit renewal. The review period ended on January 30, 2012 with no written comments from CARB.

IV. Recommendation:

Issue Title V permit F-01348-2 as proposed.

Engineer: Rene Toud

Date: 02/28/2012

Reviewed By: Paul H. H.

Date: 2/28/2012

FORTISTAR Methane Group

NEO Yolo LLC

44090 Road 28H, Box #3 ♦ Woodland, California 95776

Tel. (530) 753-9109 ♦ Fax. (530) 753-6581

December 28, 2011

Mr. Paul Hensleigh
Deputy Air Pollution Control Officer
Yolo Solano AQMD
1947 Galileo Ct. Suite 103
Davis, CA 95618

Subject: NEO Yolo LLC – Renewal of Title V Operation Permit F-01348-2

Dear Mr. Hensleigh:

NEO Yolo LLC. is in receipt of the Notice of Proposed Decision dated December 14, 2011 for the facility's Title V Operating Permit Number F-01348-2. This letter presents our written comments for your consideration.

Comment #1 – Monitoring & Testing Requirements (Condition C.8):

This condition requires that NEO Yolo LLC. operate the collection system in a manner that maximizes the amount of landfill gas extracted from the landfill while also preventing overdraw which can cause a fire or otherwise damage the gas collection system. NEO Yolo LLC. has remained in complete compliance with this permit condition by operating the GCCS within the industry's generally accepted best management practices, while ensuring that the collection system is not damaged through overdraw.

NEO Yolo LLC. has received suggestions from Yolo County that this condition implies that YSAQMD requires NEO Yolo LLC. to categorically exert maximum vacuum on active wells in order to prevent surface emissions. While preventing surface emission is an important goal in operating the GCCS, NEO Yolo LLC. must operate the system using the best management practices which does not always necessitate applying maximum available vacuum to active wells (this may be related to the physical restraints at the wells, such as liquids, air intrusion potential, etc). In order to clarify these facts NEO Yolo requests the following revisions be made to Permit Condition C.8. (changes in bold and underlined);

***To the extent practical within the parameters of industry accepted best management practices,** the Permit Holder shall operate the **active** landfill gas collection system in a manner which maximizes the amount of landfill gas extracted from the landfill, while preventing overdraw that can cause a fire or the damage of the gas collection system. [District Rule 3.4/C-09-91]*

Comment #2 – Monitoring & Testing Requirements (Condition C.9):

This condition requires that NEO Yolo LLC. operate the collection system in a manner that does not result in surface emission monitoring results exceeding 500 ppm TOC. NEO Yolo LLC. again acknowledges that effective operation of the GCCS to prevent surface emissions is key,

Mr. Paul Hensleigh
YSAQMD
December 28, 2011

however it must be understood that NEO Yolo LLC. does not have control of, nor is responsible for, the condition of the landfill's surface and therefore, NEO Yolo LLC.'s operation of the GCCS alone does not guarantee that surface emissions will be within the acceptable limits if the County is deficient in their maintaining of the landfill's surface.

In order to clarify that NEO Yolo LLC. can only be held responsible for excess surface emission readings which are the result of NEO Yolo's operation of the GCCS outside accepted industry best management practices the following changes are suggested for Condition C.9. (changes in bold and underlined);

Except for active disposal areas, or areas undergoing maintenance or repair, or areas not served by the gas collection system, the Permit Holder shall operate the gas collection system in such a manner that the surface emissions testing of the landfill demonstrates the concentrations of total organic compounds (measured as methane) do not exceed 500 ppmv at any point on the surface of the solid waste disposal site or along the gas transfer path of the gas collection system. Excess surface emissions which are detected while the GCCS is being operated in accordance with industry accepted best management practices and are found to be the result of inefficient landfill operation shall not be the responsibility of the Permittee.[District Rule 3.4/C-09-91]

Please direct all questions regarding this letter to Suparna Chakladar at (951) 833-4153.

Sincerely,



Anthony J. Falbo
Senior Vice President - Operations
FORTISTAR Methane Group
NEO Yolo LLC

cc: Suparna Chakladar, FMG

Rene Toledo

From: Roger Kohn <Kohn.Roger@epamail.epa.gov>
Sent: Monday, December 19, 2011 3:43 PM
To: Rene Toledo
Subject: Re: FW: Proposed Title V Permit Renewal for NEO Yolo LLC (F-01348-2)

Got it. 45-day review ends on 1/30/12.

From: "Rene Toledo" <rtoledo@ysaqmd.org>
To: Roger Kohn/R9/USEPA/US@EPA
Date: 12/19/2011 03:22 PM
Subject: FW: Proposed Title V Permit Renewal for NEO Yolo LLC (F-01348-2)

Roger,

FYI: Here is another project that recently started public and regulatory notice.

Thanks in advance,

René Toledo
Yolo-Solano AQMD
530-757-3679
RToledo@ysaqmd.org

From: Rene Toledo
Sent: Thursday, December 15, 2011 8:36 AM
To: Rios Gerardo
Cc: Amy Parsley (Parsley.Amy@epa.gov)
Subject: Proposed Title V Permit Renewal for NEO Yolo LLC (F-01348-2)

Dear Mr. Rios:

Enclosed for your review and comment is the proposed renewed Title V Operating Permit, Statement of Basis, and public notice for the NEO Yolo LLC facility operating at the Yolo County Central Landfill (44090 County Road 28H in Woodland, CA).

This notification is given in accordance with District Rule 3.8 (Federal Operating Permits), Section 409.1 (a 30-day public notice comment period) and Sections 409.1.e and 411 (a concurrent 45-day regulatory review period) for a Title V Operating Permit renewal.

The notice of proposed decision for this operating permit renewal will be published in the Woodland Daily Democrat newspaper approximately three (3) days from the date of this letter.

Please consider the receipt of these electronic documents as the beginning of your 45-day regulatory comment period. The hardcopies of the documents were mailed to your office yesterday (12/14). The District respectfully requests notification of your receipt of this email.

Please call me at 530-757-3679 with any questions you may have.

Sincerely,

René Toledo
Associate Air Quality Engineer

Yolo-Solano Air Quality Management District
1947 Galileo Court, Suite 103
Davis, CA 95618

530-757-3679[attachment "F-01348-2.Letter NOTICE.EPA.pdf" deleted by Roger Kohn/R9/USEPA/US] [attachment "F-01348-2.Permit PROPOSED.pdf" deleted by Roger Kohn/R9/USEPA/US] [attachment "F-01348-2.Public Notice.pdf" deleted by Roger Kohn/R9/USEPA/US] [attachment "F-01348-2.Statement of Basis PROPOSED.pdf" deleted by Roger Kohn/R9/USEPA/US]

Rene Toledo

From: Le, Tung@ARB <ttele@arb.ca.gov>
Sent: Wednesday, December 21, 2011 5:59 PM
To: Rene Toledo
Subject: FW: Proposed Title V Permit Renewal for NEO Yolo LLC (F-01348-2)

Follow Up Flag: Follow up
Flag Status: Completed

Rene, we got your email. Thanks.

Tung

From: Tollstrup, Michael@ARB
Sent: Thursday, December 15, 2011 8:47 AM
To: Le, Tung@ARB; Ghaffari, Al@ARB
Subject: FW: Proposed Title V Permit Renewal for NEO Yolo LLC (F-01348-2)

From: Rene Toledo [<mailto:rtoledo@ysaqmd.org>]
Sent: Thursday, December 15, 2011 8:37 AM
To: Tollstrup, Michael@ARB
Cc: Le, Tung@ARB
Subject: Proposed Title V Permit Renewal for NEO Yolo LLC (F-01348-2)

Dear Mr. Tollstrup:

Enclosed for your review and comment is the proposed renewed Title V Operating Permit, Statement of Basis, and public notice for the NEO Yolo LLC facility operating at the Yolo County Central Landfill (44090 County Road 28H in Woodland, CA).

This notification is given in accordance with District Rule 3.8 (Federal Operating Permits), Section 409.1 (a 30-day public notice comment period) and Sections 409.1.e and 411 (a concurrent 45-day regulatory review period) for a Title V Operating Permit renewal.

The notice of proposed decision for this operating permit renewal will be published in the Woodland Daily Democrat newspaper approximately three (3) days from the date of this letter.

Please consider the receipt of these electronic documents as the beginning of your 45-day regulatory comment period. The hardcopies of the documents were mailed to your office yesterday (12/14). The District respectfully requests notification of your receipt of this email.

Please call me at 530-757-3679 with any questions you may have.

Sincerely,

René Toledo
Associate Air Quality Engineer

Yolo-Solano Air Quality Management District
1947 Galileo Court, Suite 103
Davis, CA 95618
530-757-3679

Woodland Daily Democrat

711 Main Street
Woodland, CA 95695
530-406-6223
legals@dailydemocrat.com

YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT
:VR
2133557
1947 GALILEO COURT, STE 103
DAVIS CA 95618

PROOF OF PUBLICATION (2015.5 C.C.P.)

STATE OF CALIFORNIA County of Yolo

The Daily Democrat

A newspaper of general circulation, printed and published daily in the City of Woodland, County of Yolo, and which newspaper has been adjudged a newspaper of general circulation as defined by the Superior Court of the County of Yolo, State of California, under the date of June 30, 1952, and in accordance with the provisions of Title 1, Division 7, of the government Code of the State of California; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

12/21/2011

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Woodland, California,
this 21th day of December 2011



Signature

Legal No.

0004279241

NOTICE OF PRELIMINARY DECISION FOR THE PROPOSED RENEWAL OF A TITLE V OPERATING PERMIT

NOTICE IS HEREBY GIVEN that the Yolo-Solano Air Quality Management District solicits public comment on the proposed renewal of a Title V operating permit issued to NEO Yolo LLC, operating at 44090 County Road 28H in Woodland, California.

The District's analysis of the legal and factual basis for this proposed action, the proposed permit, and the complete application are available for public inspection at the District office, located at the address below. This will be the public's only opportunity to comment on the specific conditions of the proposed renewed Title V permit. If requested by the public, the District shall hold a public hearing regarding issuance of this renewed permit. For additional information please contact René Toledo at (530) 757-3650. Written comments on this project must be submitted within 30 days of the publication date of this notice to Paul Andrew Hensleigh, Deputy Air Pollution Control Officer, Yolo-Solano Air Quality Management District, 1947 Galileo Court, Suite 103, Davis, California, 95618.

This space is for the County Clerk's Filing Stamp